



Date: November 25, 2008
To: City Manager for Council Action
From: John C. Roukema, Director of Electric Utility
Subject: Approval of a Quitclaim Deed Executed Pursuant To An Agreement and Grant Deed of Easement For An Electric Substation With the State of California, Dated August 6, 1998, Quitclaiming to the State of California All Rights, Title and Interest In and To the Real Property Located at Lafayette Street and Agnew Road (Future Hope Substation Property), APN 097-08-050, and Authorize the Execution and Recordation Thereof

EXECUTIVE SUMMARY:

The City has an existing AGREEMENT AND GRANT DEED ("Deed") dated August 6, 1998 with the State of California ("State") for a 2.1 acre site near Lafayette Street and Agnew Road for a future electric substation to meet the energy needs for the surrounding area. The City approved this Deed on August 25, 1998. The Deed included a reversion provision that should the City not commence construction of electric substation improvements and commence substation operations within 120 months from the date of the conveyance, the City would, upon service of written demand by State, deliver to State a Quitclaim Deed to its right, title and interest in the property.

On September 30, 2008 the Council was provided an informational update that the City might be required to reconvey the property back to the State since the City had not commenced construction of or operations of an electric substation on this property. Furthermore, the City did not have any plans to construct an electric substation on the site due to the construction of a new substation (Palm Substation) in the immediate area.

On September 18, 2008 the State submitted a written request for reconveyance of the Property by Quitclaim Deed. The City does not have any concerns with the reconveyance of the property in accordance with the existing Deed. Silicon Valley Power discussed with the State the retention of certain underground electric easements on the property. The State is agreeable to granting the requested easements once the property has been returned to the State. Once the Quitclaim Deed has been recorded, Silicon Valley Power will submit the requested easements to the. A copy of the Quitclaim Deed and Exhibit A describing the property is attached.

ADVANTAGES AND DISADVANTAGES OF ISSUE:

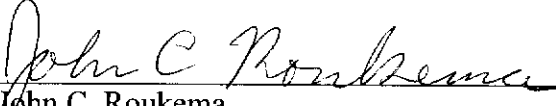
There are no significant disadvantages to the Quitclaim of the property. The City will be able to meet the energy needs of the immediate area via existing facilities and new facilities from Palm Substation. The requested easements will be advantageous to the City as they will provide paths for underground electric facilities to serve the surrounding area from Palm Substation.

ECONOMIC/FISCAL IMPACT:

There are no fiscal or economic impacts with this proposal. The State originally granted the property to the City at no cost.

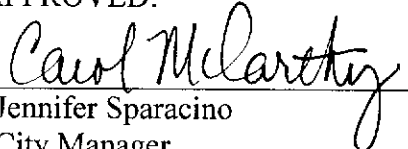
RECOMMENDATION:

That the Council approve the Quitclaim Deed, which pursuant to the Agreement and Grant Deed of Easement for an Electric Substation, dated August 6, 1998, quitclaims to the State of California all its rights, title and interest in and to the real property located at located at Lafayette Street and Agnew Road (future Hope Substation property), APN 097-08-050, and authorize the execution and recordation thereof.



John C. Roukema
Director of Electric Utility

APPROVED:



for Jennifer Sparacino
City Manager

Documents Related to this Report:

- 1) *Quitclaim Deed for ANOP 097-08-050 with Parcel Map and Desscription*

RECORDING REQUESTED BY
The City of Santa Clara

WHEN RECORDED MAIL TO:

State of California
Department of General Services
Asset Management Branch
707 3rd Street, 6th Floor
West Sacramento, CA 95605

SPACE ABOVE THIS LINE FOR RECORDER'S USE

APN: 097-08-050

**CITY OF SANTA CLARA
QUITCLAIM DEED**

The CITY OF SANTA CLARA, a chartered California municipal corporation, hereby quitclaims to the STATE OF CALIFORNIA, all its right, title, and interest in and to the real property in the County of Santa Clara, as shown on and described in the attached Exhibit A, consisting of two pages and by this reference made a part hereof.

IN WITNESS WHEREOF, the City of Santa Clara has caused this Quitclaim Deed to be executed this _____ day of _____, 2008.

APPROVED FOR FORM

CITY OF SANTA CLARA

City Attorney

City Manager

EXHIBIT A

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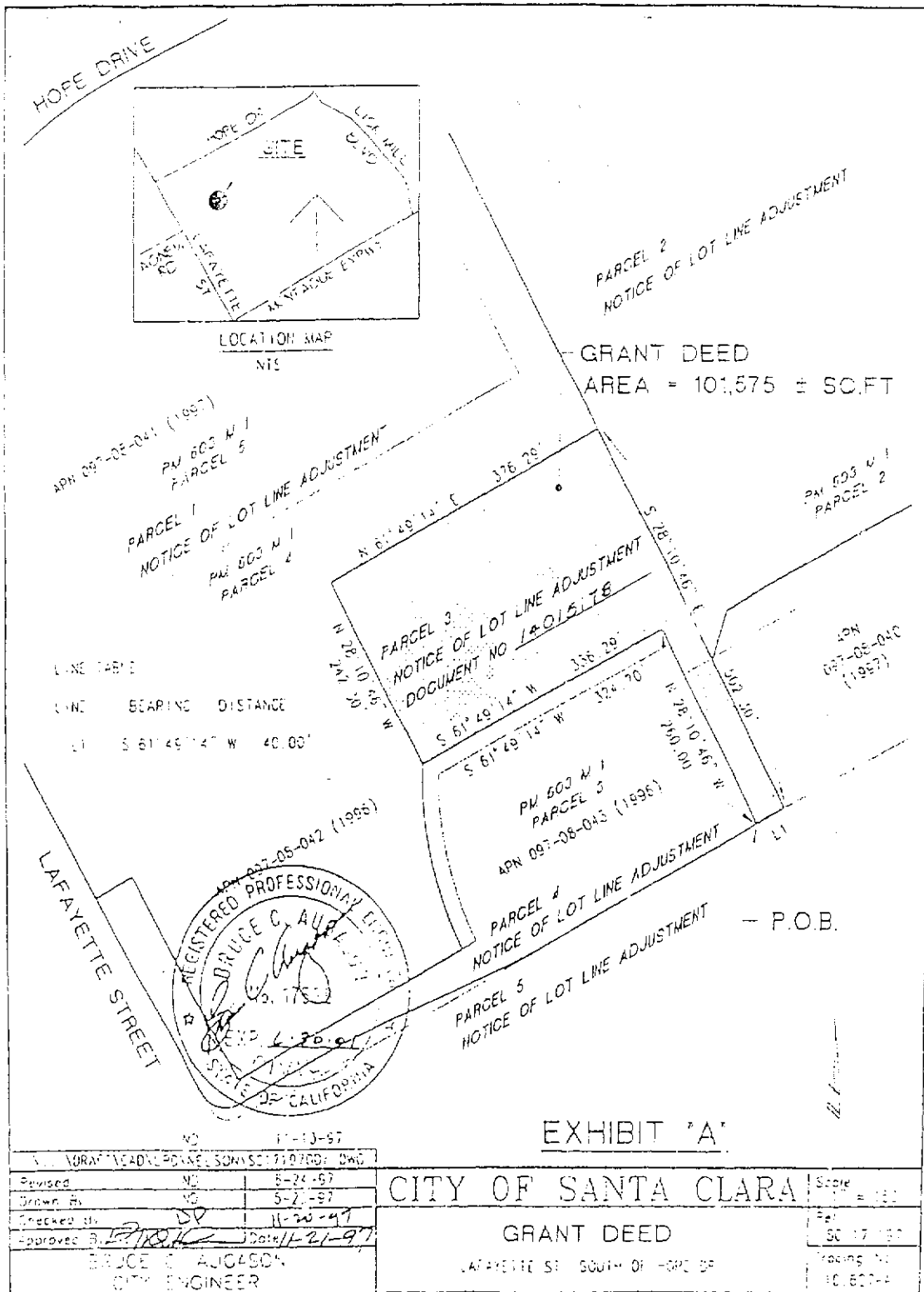


EXHIBIT A

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All of Parcel 3 as described in that certain Notice of Lot Line Adjustment filed for record as Document No. 14015178, Santa Clara County Records, said parcel also being portions of Parcels 2 and 4 as shown on that Parcel Map filed for record in Book 603 of Maps, at Page 1, said County Records, being more particularly described as follows:

Beginning at the most southerly corner of said Parcel 2 and most easterly corner of Parcel 3 as shown on said map;

Thence, from said Point of Beginning along the easterly line of said Parcel 3 and its prolongation thereof, North $28^{\circ}10'46''$ West, 260.00 feet;

Thence, South $61^{\circ}49'14''$ West, 336.29 feet;

Thence, North $28^{\circ}10'46''$ West, 242.30 feet;

Thence, North $61^{\circ}49'14''$ East, 376.29 feet;

Thence, South $28^{\circ}10'46''$ East, 502.30 feet to the southerly line of said Parcel 2;

Thence, along said southerly line, South $61^{\circ}49'14''$ West, 40.00 feet to the Point of Beginning; and,

Containing an area of 101,575 square feet, more or less

CITY OF SANTA CLARA
AGENDA MATERIAL ROUTE SHEET

Council Date: December 2, 2008

SUBJECT: Approval of a Quitclaim Deed Executed Pursuant to An Agreement and Grant Deed of Easement for An Electrical Substation With the State of California, Dated August 6, 1998, Quitclaiming to the State of California All Rights, Title and Interest In and To the Real Property Located at Lafayette Street and Agnew Road (Future Hope Substation Property), APN 097-080-050, and Authorize Its Execution and Recordation

CERTIFICATION

The proposed Quitclaim Deed to the State of California

Regarding: Real Property Located at Lafayette Street and Agnew Road (APN 097-080-050

has been reviewed and is hereby certified.

PUBLICATION REQUIRED:

The attached Notice/Resolution/Ordinance is to be published ____ time(s) at least ____ days before the scheduled meeting/public hearing/bid opening/etc., which is scheduled for _____, 2008.

AUTHORITY SOURCE FOR PUBLICATION REQUIREMENT:

Federal Codes:

Title _____ U.S.C. § _____
(Titles run 1 through 50)

California Codes:

Code _____ § _____
(i.e., Government, Street and Highway, Public Resources)

Federal Regulations:

Title _____ C.F.R. § _____
(Titles run 1 through 50)

California Regulations:

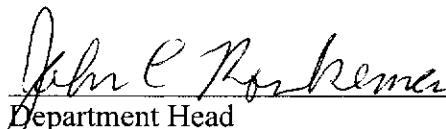
Title _____ California Code of Regulations § _____
(Titles run 1 through 28)

City

City Charter § _____ (i.e., 1310. Public Works Contracts. Notice published at least once at least ten days before bid opening)

City Code § _____

1. As to City Functions, by


Department Head

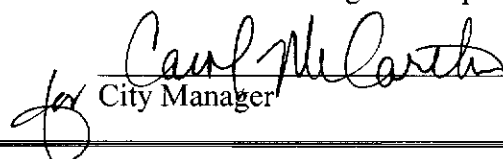
2. As to Legality, by

 HZ
City Attorney's Office/CAO Assignment No. 08.1621

3. As to Environmental
Impact Requirements, by

Director of Planning and Inspection

4. As to Substance, by


City Manager

Revision Date: June 7, 2005